

## **CERTIFICATE OF ELECTRONIC TRANSMISSION**

I hereby certify that this correspondence for Application No. 10/727,120 is being electronically transmitted to Technology Center 3763, via EFS-WEB, on March 16, 2009

/Kevin G. Rooney/  
Kevin G. Rooney, Reg. No. 36,330

March 16, 2009  
Date

**PATENT**

### **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Stephen P. Moenning  
Serial No.: 10/727,120  
Filed: December 3, 2003  
Examiner: Quynh-Nhu Hoang Vu  
Group Art Unit: 3763  
Confirmation No.: 4766  
For: MINIMALLY INVASIVE MEDICAL APPARATUS FOR  
DISPENSING A BIOLOGICALLY ACTIVE COMPOUND AND AN  
ASSOCIATED MEDICAL PROCEDURE FOR DISPENSING A  
BIOLOGICALLY ACTIVE COMPOUND  
Atty. Docket No.: IPT-04B

Cincinnati, Ohio 45202

March 16, 2009

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### **PETITION AND FEE FOR EXTENSION OF TIME (37 CFR 1.136(a))**

1. This is a petition for an extension of time to respond to the final Office Action mailed on September 15, 2008 for a period of three (3) months.
2. Applicant is  
☒ a small entity  
☐ other than a small entity
3. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.  
  
(a)   X   Applicants petition for an extension of time under 37 CFR 1.136 for the total number of months checked below:

<u>(months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
_____ one month	\$ 130.00	\$ 65.00
_____ two months	\$ 490.00	\$245.00
<u>X</u> three months	\$1,110.00	\$555.00
_____ four months	\$1,730.00	\$865.00
_____ five months	\$2,350.00	\$1,175.00

Fee \$555.00

\_\_\_\_\_ An extension for \_\_\_\_\_ month has already been secured and the fee paid thereof of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$\_\_\_\_\_.

4. Continuation Application  
☒ is being filed herewith  
☐ has been filed on [ ]
5. Fee Payment  
☒ **See electronic fee calculation sheet.**
6. ☐ Charge extension fee of \$\_\_\_\_\_ to Deposit Account No. 23-3000.
7. ☒ Charge any additional extension fee required or credit any overpayment to Deposit Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

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